



AGENDA
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 – Lower Level - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, SEPTEMBER 6, 2006, 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBERS: Jennifer Villasenor, Ron Santos, Ramona Kohlmann

MINUTES: None

ORAL COMMUNICATION: Anyone wishing to speak on an item not on the agenda may do so. No action can be taken by the Zoning Administrator on items not on the agenda.

SCHEDULED ITEMS:

- 1. PETITION DOCUMENT:** **CONDITIONAL USE PERMIT NO. 2006-032 (MATTHEWS FENCE)**
- APPLICANT: Chris Matthews
- REQUEST: To permit a 42" tall fence with a zero setback from the front property line, in lieu of the required 3-ft. setback in the RMH-A zoning district.
- LOCATION: 714 Alabama Street (east side of Alabama Street, south of Hartford Avenue)
- PROJECT PLANNER: Jennifer Villasenor
- STAFF RECOMMENDS: Approval based upon suggested findings and conditions of approval

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Zoning Administrator is final unless an appeal is filed to the Planning Commission by you or by an interested party. Said appeal must be in writing and must set forth in detail the action and grounds by which the applicant or interested party deems himself aggrieved. Said appeal must be accompanied by a filing fee of One Thousand Two Hundred Eighty Seven Dollars (\$1287.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and One Thousand Five Hundred Sixty Nine Dollars (\$1569.00) if the appeal is filed by any other party. The appeal shall be submitted to the Secretary of the Planning Commission within ten (10) calendar days of the date of the Zoning Administrator's action or ten (10) working days for a coastal development permit.

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Jennifer Villasenor, Associate Planner
DATE: September 6, 2006

SUBJECT: **CONDITIONAL USE PERMIT NO. 2006-032 (MATTHEWS FENCE)**

LOCATION: 714 Alabama Street (east side of Alabama Street, south of Hartford Avenue)

Applicant/

Property Owner: Chris Matthews, 714 Alabama Street, Huntington Beach, CA 92648

Request: To permit a 42" tall fence with a zero setback from the front property line, in lieu of the required 3-ft. setback in the RMH-A zoning district.

Environmental Status: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

Zone: RMH-A-CZ (Medium High Density Residential-Small Lot Subdistrict-Coastal Zone Overlay)

General Plan: RMH-25-d (Medium High Density Residential)

Existing Use: Single-Family Residential

RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project consists of minor construction of accessory structures on a property developed with a single-family home.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2006-032:

1. Conditional Use Permit No. 2006-032 to allow a 42" tall fence with a zero setback from the front property line, in lieu of the required 3-ft. setback in the RMH-A zoning district will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental

to the value of the property and improvements in the neighborhood. The 42" high wall along the front property line will not obstruct visibility within the visibility triangle at the alley intersection along the south side property line of the subject site. The entire front yard setback is landscaped with the exception of a 4-foot wide walkway and will be visible from the public right of ways softening the appearance of the wall.

2. The conditional use permit will be compatible with surrounding uses because properties in the immediate vicinity are developed with similar walls at the front property line.
3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance and any specific condition required for the proposed use in the district in which it is located. The HBZSO authorizes deviations from the fence height restrictions subject to approval of a Conditional Use Permit.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RMH-25-d (Residential Medium High Density – 25 du/acre – Design Overlay) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

LU 9.2.1: Require that new development within existing residential neighborhoods be compatible with existing structures, including:

- Maintenance of the predominant or median existing front yard setbacks and;
 - Use of complementary building materials, colors, and forms, while allowing flexibility for unique design solutions.
- The proposed wall, consisting of wrought iron material, provides for visibility to the subject site's fully landscaped front yard setback area. It is consistent with other property line walls in the neighborhood.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2006-032:

1. The site plan received and dated August 4, 2006, shall be the conceptually approved design.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.